

8

MAILING RECEIPT

Atty File No. 206-004
Inventor: TUCEK

The following have been received in the U.S.P.T.O.:

Enclosed are 54 pages:

- ☒ Response to Notice under 37 CFR §1.251
- ☒ copy of the Notice
- ☒ list of applicant's correspondence
- ☒ copies of correspondence, documents A-J

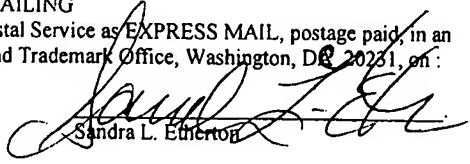
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SPECIAL MAILING



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Applicant: Kevin B. Tucek
Title of Invention: Hand-Held Laser Light Generator Device
Filed: 11/06/2001
Serial Number: 10/008,393
Atty Docket No.: 206-004

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service as EXPRESS MAIL, postage paid, in an envelope addressed to: Carolyn Brown, Box Reconstruction, United States Patent and Trademark Office, Washington, DC 20231, on:	
Date <u>3/4/04</u>	 Sandra L. Etherton
Express Mail Number: ER 764 254 568 US	

Carolyn Brown
Box Reconstruction
United States Patent and Trademark Office
Washington, DC 20231

RESPONSE TO NOTICE UNDER 37 C.F.R. §1.251

Dear Mrs. Brown:

This is a response to the Notice Under 37 C.F.R. §1.251 dated February 9, 2004, setting a three month period for response. This response is filed within three months from the date of the Notice and is therefore considered timely filed.

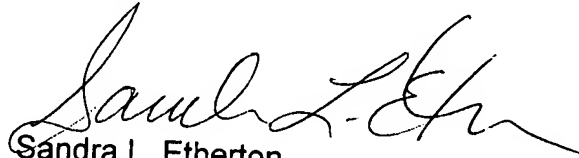
Please find enclosed:

- A. A copy of the original Notice Under 37 C.F.R. §1.251; and
- B. A list of the applicant's record of all correspondence between the Office and the applicant.

The attorney for applicant, having first hand knowledge, states that this is a complete and accurate copy of applicant's record of all correspondence between the Office and the applicant for the above identified application (except for U.S. patent documents). Pursuant to a voicemail left for applicant's attorney on October 15, 2003,

by Trudi Mitchell in Customer Service, the applicant's attorney is aware that an office action was prepared for this application and reached the "reference copying area," but had not been mailed. Applicant has not received such office action. Other than that, applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

Respectfully submitted,



Sandra L. Etherton
Attorney for Applicant
Registration No. 36,982

Etherton Law Group, LLC
P.O. Box 27843
Tempe, AZ 85285-7843
Tel: 480-966-3331
Fax: 480-966-3339

**List of the Applicant's Record of All Correspondence
Between the Office and the Applicant
Regarding Patent Application 10/008,393**

Date	Document description
A. 11/06/2001	Reissue application as originally filed by applicant.
B. (date unknown)	Postcard mailing receipt received.
C. 02/11/2002	Official filing receipt received by applicant.
D. 02/25/2002	Correction of filing receipt requested by applicant.
E. 03/12/2002	Corrected filing receipt received by applicant.
F. 10/25/2002	Facsimile received from Tech Center 2600 indicating the application will be examined in 5-8 months.
G. 09/11/2003	Formal Status Inquiry facsimiled to Director of Tech Center 3730.
H. 10/14/2003	Status Inquiry facsimiled to Commissioner for Patents.
I. 12/23/2002	Notification of concurrent proceeding and disclosure of additional prior art.
J. 2/17/2004	Notice Under 37 C.F.R. §1.251 received by applicant.

DOCUMENT A

Reissue Application



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Sandra L. Etherington 206-006
Etherington Law Group, LLC
P.O. Box 27843
Tacoma, WA 98506-7843

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Box Release
Washington, DC 20231

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Applicant: Kevin B. Tucek
Title of Invention: Hand-Held Laser Light Generator Device
Filed: 11/06/2001
Serial Number: 10/008,393
Atty Docket No.: 206-004

By hand-delivery

Carolyn Brown
Lost File Coordinator
United States Patent and Trademark Office
Washington, DC 20231

Re: Second Copy of Lost file – Reissue Patent Application No. 10/008,393

Dear Ms. Brown:

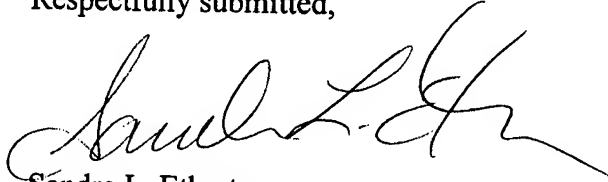
In furtherance of my voice mail of July 26, 2004, please find enclosed a second reconstituted copy of Reissue Patent Application No. 10/008,393. I had sent the first reconstituted copy of this application to you on March 4, 2004, which was received at the Patent Office on March 8, 2004. However, after speaking to the Technology Center customer service representative, Examiner Farah and you, it appears that that first reconstituted copy was lost, as well.

The following documents are enclosed:

- A. The first reconstituted copy of the above-identified application, including:
 - a. A copy of the original Notice Under 37 C.F.R. §1.251;
 - b. A list of the applicant's record of all correspondence between the Office and the applicant; and
 - c. Copies of the listed correspondence.
- B. Proof of mailing and receipt by the Patent Office of the first reconstituted copy, namely:
 - a. A copy of the mailing receipt for the first reconstituted copy, dated April 21, 2004; and
 - b. The tracking information from the United States Postal Service Express Mail website, showing the package delivered on March 8, 2004.

The attorney for applicant, having first hand knowledge, states that this is a complete and accurate copy of applicant's record of all correspondence between the Office and the applicant for the above identified application (except for U.S. patent documents).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sandra L. Etherton', written in a cursive style.

Sandra L. Etherton
Attorney for Applicant
Registration No. 36,982

Etherton Law Group, LLC
P.O. Box 27843
Tempe, AZ 85285-7843
Tel: 480-966-3331
Fax: 480-966-3339

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Track & Confirm

Shipment Details

You entered ER76 4254 568U S

Your item was delivered at 12:19 pm on March 08, 2004 in WASHINGTON, DC 20231 to PATENT 20231 R6. The item was signed for by E BOSTON.

Here is what happened earlier:

- NOTICE LEFT, March 06, 2004, 11:13 am, WASHINGTON, DC 20231
- ARRIVAL AT UNIT, March 06, 2004, 11:10 am, ZIP Code 20000
- ENROUTE, March 06, 2004, 6:55 am, WASHINGTON, DC 20074
- ACCEPTANCE, March 04, 2004, 6:32 pm, PHOENIX, AZ 85026
- ENROUTE, March 04, 2004, 6:31 pm, PHOENIX, AZ 85034

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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,393	11/06/2001	Kevin B. Tucek	206-004	2866

7590
Sandra L. Etherton
Etherton Law Group, LLC
P.O. Box 27843
Tempe, AZ 85285-7843

EXAMINER

FARAH, AHMED M

ART UNIT	PAPER NUMBER
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3739

DATE MAILED: 02/09/2004

oil ✓

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED:

NOTICE UNDER 37 CFR 1.251 - Pending Application

☒ The file of the above-identified application cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

Alternatively, applicant may reply to this notice by producing applicant's record (if any) of all of the correspondence between the Office and the applicant for the above-identified application for the Office to copy (except for U.S. patent documents), and provide a statement that the papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), whether applicant is aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records. Such records must be brought to the Customer Service Center in the Office of Initial Patent Examination (Crystal Plaza 2, 2011 South Clark Place, Arlington, VA 22202).

If applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Failure to reply to this notice in a timely manner will result in abandonment of the above-identified application. The three-month period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).

☒ A printout from PALM of the contents of the file of the above-identified application is included with this notice.
Direct the reply to this notice to:

Box Reconstruction
United States Patent and Trademark Office
Washington, DC 20231

Direct questions concerning this notice to:

Carolyn Brown
(703) 308-2192

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

In re Application of: Kevin B. Tucek
Application No.: 10/008,393
Filing Date: 11/06/2001
Title: Hand-Held Laser Light Generator Device

Carolyn Brown
Supervisory Legal Instrument Examiner
Group 3700

Direct to: Box Reconstruction
United States Patent and Trademark Office
Washington, DC 20231

NOTICE UNDER 37 CFR 1.251 - Pending Application

Statement (check the appropriate box):

☒ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records. *or otherwise referenced in the response to this notice.*

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

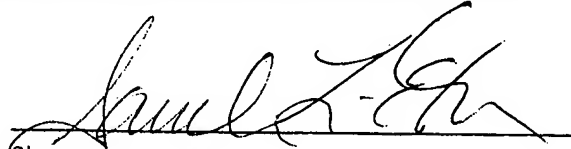
☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Date

3/4/04

Signature



Sandra L. Etherton

Typed or printed name

A copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.